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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-49188-2024

DATE OF DECISION: 03.10.2024

ABHISHEK BHANDARI ...PETITIONER

Versus

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Chetan Bansal, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of the impugned order dated 20.01.2018 (Annexure P-1) passed by the learned Chief Judicial Magistrate S.B.S Nagar in F.I.R No. 25 dated 18.05.2016 under Section 406, 420 of the Indian Penal Code (Annexure P-2) whereby the petitioner has been declared as proclaimed person by the Chief Judicial Magistrate S.B.S Nagar.

Learned counsel for the petitioner has produced a copy of order dated 26.06.2024 passed by the lower Court to demonstrate that the amount of Rs. 49,20,000/- stands paid to the complainant by the petitioner-Abhishek Bhandari. The relevant part of this order is reproduced below:-

‘7. During the course of hearing, learned Counsel for applicants-accused laid emphasis on the fact that Abhishek



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Bhandari, co-accused- non-applicant, has returned substantial amount to the complainant side. The account statement, showing the transfer of around 50 lakh, in the account of complainant Manpreet Singh, has also been placed. The Investigating Officer, who is present in the Court, conceded the said fact and filed report regarding payment of 49,20,000/- to complainant Manpreet Singh, by Abhishek Bhandari, son of applicants-accused and Himani Bhandari, daughter-in-law of applicants-accused. It was also conceded that some amount has also been paid to the second complainant Gurdeep Singh. Simultaneously, learned Counsel for applicants-accused produced copy of compromise dated 23.05.2018 between the complainant side and the accused, with respect to present FIR, whereby the complainants had undertaken to get the FIR quashed upon payment of 58,70,000/- by the accused to the complainant side. The learned Counsel for the complainant could not dispute the factum of receipt of 49,20,000/- in the account of complainant Manpreet Singh, or the factum of settlement between the two sides.'

In addition to the said fact, the compromise has been arrived between the parties and no fruitful purpose would be served by proceeding further in the Trial, especially, whereby the petitioner is ready and willing to surrender within a period of 10 days before the Trial Court and this will facilitate the furtherance of the proceedings before the Trial Court and bring the proceedings to a logical end. Further, the offence under Sections 406 and 420 IPC are compoundable in nature and in subsequent, joining the proceedings before the Trial Court with the compromise deed is found to be true and correct.



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In light of the said fact, it would be in the interest of justice that if the petitioner surrenders before the Trial Court within the stipulated period mentioned above and move an application for bail before the trial Court, the same shall be considered on the same date and to be decided in accordance with law.

Petition stands disposed of in the above terms.

(SANDEEP MOUDGIL)
JUDGE

03.10.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>